



SENATE BILL 897: Appropriations Act of 2010

2009-2010 General Assembly

Committee:	Senate Appropriations/Base Budget	Date:	May 18, 2010
Introduced by:	Sen. Dannelly	Prepared by:	Heather Fennell
Analysis of:	Second Edition, as amended		Committee Counsel

FEE PROVISIONS: Senate Bill 897, as amended, authorizes \$24.5 million in new and increased fees. A detailed chart of all of the fees is attached; the following is brief summary of the fees:

Natural and Economic Resources, authorizes \$1.8 million in fees:

Increased fees:

- Exam and certification fees for pesticide dealers, applicators, and consultants.
- Exam and certification fees for structured pest control.
- Registration and annual fees for the Department of Labor Apprenticeship program
- Hazardous waste fees.

New fees:

- Dam safety fee.
- Fee to advertise in State welcome centers.

No change:

- Regulatory fee for Utilities Commission.

Justice and Public Safety, authorizes \$22.4 million in fees:

Increased fees:

- Fees for civil and criminal actions in District Court
- Fees for civil actions in Superior Court.
- Failure to comply in criminal actions.
- Summary ejectment proceedings before a magistrate.
- Fee for defendants appointed counsel in criminal case.
- Fees for probation, parole, and post-release supervision.
- Fees for the Community Service Program.

New fees:

- Fee for filing a motion for summary judgment.
- Fee for assignment of title in
- Fee for filing a counterclaim in domestic violence actions.
- Fee for resuming former or maiden name.

General Government, authorizes \$130,000 in fees:

Increased fees:

- Fees filing a contested case at the Office of Administrative Hearings.
- Fees for candidates filing for office.

Health and Human Services, authorizes \$145,000 in fees:

New fees:

- Adult Home Care Medication Aide Exam.
- Adult Home Care exam and renewals.

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Sec. Page, Line	Name	Explanation	Amount Generated																																													
Natural and Economic Resources																																																
11.1 88, 20	Fee Increases for Pesticide Dealers, Pesticide Applicators, and Pest Control Consultants	<div>Increases and creates the following fees:</div> <table><thead><tr><th>Fee</th><th>Current</th><th>New</th></tr></thead><tbody><tr><td>Commercial</td><td></td><td></td></tr><tr><td>Ground Applicator.....</td><td>\$50</td><td>\$75</td></tr><tr><td>Aerial Contractor.....</td><td>\$50</td><td>\$75</td></tr><tr><td>Aerial Pilot.....</td><td>\$50</td><td>\$75</td></tr><tr><td>Aerial Apprentice.....</td><td>\$50</td><td>\$75</td></tr><tr><td>Pesticide Dealer.....</td><td>\$50</td><td>\$75</td></tr><tr><td>Pest Control Consultant..</td><td>\$50</td><td>\$75</td></tr><tr><td>Private Applicator Exam..</td><td>New</td><td>\$10</td></tr><tr><td>Worker Protection Designated Trainer Exam.....</td><td>New</td><td>\$50</td></tr><tr><td>Pesticide Dealer Exam....</td><td>New</td><td>\$50</td></tr><tr><td>Commercial Applicator Core Exam.....</td><td>New</td><td>\$50</td></tr><tr><td>Aerial Exam.....</td><td>New</td><td>\$50</td></tr><tr><td>Pest Control Consultant Exam.....</td><td>New</td><td>\$50</td></tr><tr><td>Pesticide Subclass/Category Exams.....</td><td>New</td><td>\$20</td></tr></tbody></table>	Fee	Current	New	Commercial			Ground Applicator.....	\$50	\$75	Aerial Contractor.....	\$50	\$75	Aerial Pilot.....	\$50	\$75	Aerial Apprentice.....	\$50	\$75	Pesticide Dealer.....	\$50	\$75	Pest Control Consultant..	\$50	\$75	Private Applicator Exam..	New	\$10	Worker Protection Designated Trainer Exam.....	New	\$50	Pesticide Dealer Exam....	New	\$50	Commercial Applicator Core Exam.....	New	\$50	Aerial Exam.....	New	\$50	Pest Control Consultant Exam.....	New	\$50	Pesticide Subclass/Category Exams.....	New	\$20	<div>\$188,050</div> <div>\$925</div> <div>\$1,875</div> <div>\$50</div> <div>\$13,000</div> <div>\$1,650</div> <div>\$7,580</div> <div>\$800</div> <div>\$1,650</div> <div>\$105,950</div> <div>\$1,100</div> <div>\$1,150</div> <div>\$79,840</div>
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11.2 90, 49	Structural Pest Control Act Fee Increases	<div>Increases the following fees:</div> <table><thead><tr><th>Fee</th><th>Current</th><th>New</th></tr></thead><tbody><tr><td>Structural Certified</td><td></td><td></td></tr><tr><td>Applicator Exam.....</td><td>\$10</td><td>\$25</td></tr><tr><td>Structural License Exam..</td><td>\$25</td><td>\$50</td></tr><tr><td>Structural Certified Applicator Card.....</td><td>\$30</td><td>\$50</td></tr><tr><td>Structural License 1 Phase.....</td><td>\$150</td><td>\$200</td></tr><tr><td>Structural License 2 Phase.....</td><td>\$215</td><td>\$275</td></tr><tr><td>Structural License 3 Phase.....</td><td>\$280</td><td>\$350</td></tr><tr><td>Registered Technician Card.....</td><td>\$25</td><td>\$40</td></tr></tbody></table>	Fee	Current	New	Structural Certified			Applicator Exam.....	\$10	\$25	Structural License Exam..	\$25	\$50	Structural Certified Applicator Card.....	\$30	\$50	Structural License 1 Phase.....	\$150	\$200	Structural License 2 Phase.....	\$215	\$275	Structural License 3 Phase.....	\$280	\$350	Registered Technician Card.....	\$25	\$40	<div>\$8,000</div> <div>\$2,000</div> <div>\$20,000</div> <div>\$7,000</div> <div>\$30,000</div> <div>\$2,000</div> <div>\$31,000</div>																		
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12.1 97, 4	Department of Labor/ Apprenticeship Program	Increases the registration and annual fess of the Department of Labor's Apprenticeship Program from \$50 to \$100.	\$550,000																																													
13.6 108, 9	Dam Safety Fee	Creates a one-time fee of \$1,100, payable by electric utility companies based on the number of dams the company owns. The fee is payable to DENR to support one	\$170,120																																													

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		time-limited engineering position and operating funds necessary to perform the evaluation and integration of regulated power plant dams into the Department's dam safety inventory program.																																	
13.8 109, 14	Increase Hazardous Waste Fees	Increases the annual hazardous waste fee of generators of 100 kilograms of hazardous waste in a calendar month from \$125 to \$170 per year. The fees will be used to support the State's hazardous waste management program.	\$80,000																																
14.7 118, 36	Fee to Advertise in Welcome Centers	Creates new fees annual for advertisers at a State welcome center: Displays 4" by 9" or smaller - \$100. Displays larger than 4" by 9" - \$200.	\$500,000																																
14.14 122, 13	Set Regulatory Fee for Utilities Commission	Sets Utilities Commission regulatory rate at 0.12 percent (0.12%). No change from prior year.	No General Fund Impact																																
Total – Natural and Economic Resources			\$1,803,740																																
Justice and Public Safety																																			
15.5 126, 21	Increase Certain Court Fees	Increases and creates the following fees: <table border="0"> <thead> <tr> <th>Fee</th> <th>Current</th> <th>New</th> <th></th> </tr> </thead> <tbody> <tr> <td>District Court – Criminal.....</td> <td>\$95.50</td> <td>\$100.50</td> <td>\$4,538,628</td> </tr> <tr> <td>Failure to Comply.....</td> <td>\$25.00</td> <td>\$50.00</td> <td>\$785,223</td> </tr> <tr> <td>Superior Court – Civil.....</td> <td>\$93.00</td> <td>\$150.00</td> <td>\$1,415,538</td> </tr> <tr> <td>District Court – Civil.....</td> <td>\$73.00</td> <td>\$100.00</td> <td>\$3,481,634</td> </tr> <tr> <td>Summary Judgment.....</td> <td>New</td> <td>\$40.00</td> <td>\$1,020,720</td> </tr> <tr> <td>Admin of Estates -</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Assignment of Title.....</td> <td>New</td> <td>\$10.00</td> <td>\$40,820</td> </tr> </tbody> </table>	Fee	Current	New		District Court – Criminal.....	\$95.50	\$100.50	\$4,538,628	Failure to Comply.....	\$25.00	\$50.00	\$785,223	Superior Court – Civil.....	\$93.00	\$150.00	\$1,415,538	District Court – Civil.....	\$73.00	\$100.00	\$3,481,634	Summary Judgment.....	New	\$40.00	\$1,020,720	Admin of Estates -				Assignment of Title.....	New	\$10.00	\$40,820	
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15.8 128, 15	Provide Certain Counterclaim Fees in Domestic Violence Actions	Requires a filing fee for counterclaims in a domestic violence action. The filing fee is \$100.00.	\$153,846																																
15.9 128, 22	Modify Fees for Resumption of Maiden or Former Name	Creates a new fee of \$10 for resumption of former or maiden name for support of the General Court of Justice.	\$362,050																																
15.10 129, 3	Increase Fee for Certain Cases Assigned to a Magistrate	Increases the fees for summary ejectment proceedings before a magistrate to \$65.00 from \$55.00. The fee for proceedings before a magistrate was lowered in 2009 to \$55.00, from \$63.00.	\$1,850,670																																
15.11 129, 24	Increase Attorney Appointment Fee	Increases the fee for defendants in criminal cases for whom an attorney is appointed. The fee is increased to \$60.00 from \$50.00. The fee was created in 2003.	\$250,000																																

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19.3 132, 6	Increase Fees for Probation, Parole, and Post-release Supervision.	Increases the fees for probation, parole and post-release supervision to \$40.00 from \$30.00. The fee was last raised in 2002 from \$20.00.	\$5,353,794
19.4 132, 41	Increase Fee for Community Service Program.	Increases the fee for the Community Service Program of the Department of Correction to \$300.00 from \$225.00. The program provides oversight of offenders placed under the supervision of the Division of Community Corrections to perform community service hours. The fee was raised last year from \$200.00.	\$3,211,800
Total – Justice and Public Safety			\$22,464,723
General Government			
25.1 138, 4	Increase Fees for Filing a Contested Case	A filing fee of up to \$125 was created in the 2009 Budget (2009-451) for a contested case hearing at the Office of Administrative Hearings. The cap is increased to \$500, but limited to limited to contested cases where the amount in controversy is equal or greater than \$50,000.	\$134,500
27.1 139, 35	Raise Candidate Filing Fees	Raises the filing fee for the following offices from 1% to 1.5% of the annual salary of the office sought: <ul style="list-style-type: none"> • Governor. • Lieutenant Governor. • All State Executive Offices. • All District Attorneys of the General Court of Justice. • United States Senator. • Members of the United States House of Representatives. • Member of the State House of Representatives. • State Senator. • All County Offices. 	No General Fund Impact
Total – General Government			\$134,500
Health and Human Services			
10.36 A Amendment	DSHR Adult Care Home Administrator/ Medication Aide Fees	Creates the following new fees: <p>Adult Care Home Medication Aide.....\$25</p> <p>Adult Care Home Administrator Exam.....\$50</p> <p>Adult Care Home Administrator Renewal (every two years).....\$30</p>	<p>\$110,575</p> <p>\$35,240</p> <p>(exam and renewal)</p>
Total – Health and Human Services			\$145,815